

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JOE CONFORTE,

Plaintiff,

v.

I.R.S.,

Defendant.

Case No. 3:17-cv-00102-RCJ-WGC

**REPORT & RECOMMENDATION OF
U.S. MAGISTRATE JUDGE**

Before the court is an application to proceed in forma pauperis (IFP) (Electronic Case Filing (ECF) No. 1) and complaint (ECF No. 1-1).

The application to proceed IFP contains a caption listing Joe Conforte as the plaintiff, and the IRS as the defendant, but the IFP application is completed by Johannes Troye. The complaint, similarly contains Mr. Troye's identifying information above the caption, but then lists Mr. Conforte as the plaintiff.

Mr. Troye recently filed another action, against Joe Conforte, that the undersigned recommended be dismissed with prejudice as frivolous. *See* Case No. 3:17-cv-00079-RCJ-WGC.

In this instance, Mr. Troye is not an attorney admitted to the State Bar of Nevada. Nor does he provide a bar number for any other state. As such, he may not initiate a civil complaint on behalf of another individual. Nor may he submit an application to proceed in a case IFP on behalf of another individual. *See* Fed. R. Civ. P. 11(a) (requiring every pleading, written motion or other paper to be signed by an attorney of record or by the party if the party is unrepresented).

As a result of these deficiencies, it is recommended that the application to proceed IFP (ECF) No. 1 be denied; that the complaint be stricken; and, the action closed.

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1 Mr. Troye should be aware of the following:

2 1. That he may file, pursuant to 28 U.S.C. § 636(b)(1)(C), specific written objections to
3 this Report and Recommendation within fourteen days of receipt. These objections should be
4 titled "Objections to Magistrate Judge's Report and Recommendation" and should be
5 accompanied by points and authorities for consideration by the district judge.

6 2. That this Report and Recommendation is not an appealable order and that any notice of
7 appeal pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure should not be filed
8 until entry of judgment by the district court.

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10 DATED: February 16, 2017.

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WILLIAM G. COBB
13 UNITED STATES MAGISTRATE JUDGE
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